

ATTACHMENT - REMARKS

Claims 1, 3-4, 8 and 10-16 are pending in the present application.

By this Amendment, Applicants have amended claims 1, 3, 10, 11 and 12, and added new claims 15 and 16. Applicants respectfully submit that the present application is in condition for allowance based on the discussion which follows.

In the final Office Action of April 15, 2008, claims 1, 3, 4, 8 and 10-12 were rejected under 35 U.S.C. § 112, first paragraph, for failing to meet the written description requirement with regard to reciting "*at least 60 mg/ml*," as allegedly introducing new matter. By this Amendment, Applicants have amended claims 1 and 12 to remove reference to the "*at least 60 mg/ml*" concentration, thereby obviating the new matter/written description rejection to the claims under 35 U.S.C. § 112, first paragraph.

Applicants have further amended claims 1 and 12 to be specifically directed to one aspect of the present invention, namely an injectable trace metal solution and a method for preparing an injectable trace element solution, which includes at least chromium as one of the trace elements. Subject matter basis for the amendment to the claims can be found in the specification as filed. For example, Example 6 is directed to a solution containing sodium selenite and chromium. Accordingly, Applicants respectfully submit that the claims are in compliance with the requirements of 35 U.S.C. § 112, first paragraph.

Further, Applicants respectfully submit that the claims are novel and not obvious in view of the prior art, as indicated in the Notice of Allowance originally mailed April 6, 2007, prior to Applicants filing an RCE on June 4, 2007.

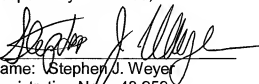
Finally, by this Amendment, Applicants have added new dependent claims 15 and 16 which depend from claims 1 and 12, respectively, reciting that the trace element solution comprises a metal concentration of 60 mg/ml. Applicants respectfully submit that the specification fully supports a trace element solution comprising a metal concentration of 60 mg/ml, as was indicated in the final Office Action dated April 15, 2008.

In view of the foregoing, Applicants respectfully submit that the present application is in condition for allowance.

Respectfully submitted,

Date: December 15, 2008

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